

REMARKS

By the present amendment, Applicant has amended Claim 1, and cancelled Claims 2-4, 9-14 and 17. Claims 1, 5-8, 15 and 16 remain pending in the present application. Claim 1 is the sole independent claim.

Applicant appreciates the courtesies extended to Applicant's representative during the personal interview held July 27, 2004. The present response summarizes the substance of the interview. At the interview a proposed amendment to the claims was presented. Proposed amended independent Claim 1 set forth a vehicle roach trap including a cup, a roach bait, a cover, and a removable sticker. The cup has a substantially cylindrical wall and a closed bottom. The substantially cylindrical wall has a rim opposite the closed bottom defining an open top, such that the cup has an interior volume and is adapted for placement in a cup holder of a motor vehicle. The roach bait disposed inside the cup. The cover has a peripheral lip snapped onto the rim of the cup, and the cover is in the form of an inverted dome. The inverted dome defines a hole therein. The removable sticker is adhesively attached to the cup, such that the sticker is selectively positioned over the hole for sealing the hole. When in use, the cup is placed in a cup holder in a vehicle, the roach bait attracts roaches to enter into the cup via the hole in the cover, and upon entry, being trapped in the cup, and upon disposal, the sticker is selectively positioned to seal the hole, thereby preventing any roaches from exiting the cup.

It was noted that the proposed amended Claim 1 was drawn to the elected species of Fig. 1. Further, it was discussed that the proposed amended Claim 1 clarified the claimed language so that

the skilled artisan would clearly understand the invention. In addition, arguments were advanced the applied prior art references to Crigler in view one or more of Mattes, Madonna, and Carlsen failed to teach all of the features of the claimed embodiment, and as such these references are inapplicable and the rejections should be withdrawn. The Examiner indicated that the ambiguity between the proposed amended Claim 1 and Fig. 1 should be corrected with respect to the concentric and spiral ridges. Also, the Examiner indicated that the applied prior art of record does not teach the sticker adhesively attached to the cup for sealing the hole upon disposal of the vehicle roach trap. However, the Examiner stated that reconsideration as to the patentability of the claimed invention would be made upon filing a formal response.

The Examiner has required election among the inventions of Figs. 1, 2, 3, and 4. During a telephone conversation on April 14, 2004, Applicant's representative provisionally elected with traverse to prosecute the species of Fig. 1, namely, Claims 1-8, and 14-17. This is to affirm the election. Non-elected Claims 9-13 were held withdrawn from consideration by the Examiner as being directed to a non-elected species of the claimed invention. Accordingly, it is proposed herein that the Claims 9-13 be cancelled. However, it should be noted that under the provisions of 35 U.S.C. § 121 Applicant reserves the right to file a divisional application directed to the non-elected subject matter.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

The Examiner rejected Claims 1-4, and 14-17 under 35 U.S.C. 103(a) as being unpatentable over Crigler in view of Mattes. The Examiner rejected Claims 5-7 under 35 U.S.C. 103(a) as being unpatentable over Crigler in view of Mattes, and further in view of Madonna. The Examiner rejected Claim 8 under 35 U.S.C. 103(a) as being unpatentable over Crigler in view of Mattes, and further in view of Carlsen. These rejections are respectfully traversed.

Applicant has amended Claim 1 to clarify the embodiment of the invention. Claim 1 recites a vehicle roach trap including a cup, a roach bait, a cover, and a removable sticker. The cup has a substantially cylindrical wall and a closed bottom. The substantially cylindrical wall has a rim opposite the closed bottom defining an open top, such that the cup has an interior volume and is adapted for placement in a cup holder of a motor vehicle. The roach bait is disposed inside the cup. The cover has a peripheral lip snapped onto the rim of the cup, and the cover is in the form of an inverted dome, which is now characterized as having a plurality of concentric ripples defined therein. The inverted dome also defines a hole therein. The removable sticker is adhesively attached to the cup, such that the sticker is selectively positioned over the hole for sealing the hole. When in use, the cup is placed in a cup holder in a vehicle, the roach bait attracts roaches to enter into the cup via the hole in the cover, and upon entry, being trapped in the cup, and upon disposal, the sticker is selectively positioned to seal the hole, thereby preventing any roaches from exiting the cup.

Crigler discloses a roach trap having a container in the form of a jar (or milk jug) having a threaded opening, a threaded cap with a central aperture, a wire mesh, frusto-conical member attached to the cap about the opening so that the member extends into the jar. Crigler discloses

placing roach bait inside the jar. Crigler does not show a snapped on lid, the inverted dome, or the concentric rings in forming steps in the inverted dome. Mattes discloses an ant poison feeder having a snapped on non-inverted dome lid. Madonna discloses an insect guard for preventing insects from entering a dwelling through a sewer pipe. The trap includes a spring biased flapper door. The flapper door allows water (or sewage) to flow downwardly through the pipe, while the spring otherwise maintains the flapper door closed preventing the entrance of insects through the pipe. Carlsen discloses a roach trap including a sticky substance for containing trapped roaches until they expire and the trap is disposed.

None of these applied prior art references show an inverter dome having a plurality of concentric ripples defined therein and a sticker adhesively attached to the cup for selectively covering the hole, sealing the roaches in the cup upon disposal thereof. Applicant submits that there is no guidance or motivation found in prior art for combining the references in the manner suggested by the Examiner. Moreover, even if the references were properly combinable, one having ordinary skill in the art would have been lead to provide at least a sticker adhesively attached to the cup for selectively positioning over the hole for sealing vehicle roach trap, preventing roaches from escaping the cup upon disposal thereof, as set forth by the present claims. Applicant respectfully submits that Claim 1, as amended, is not rendered obvious by the alleged combination, and requests that these grounds of rejections be withdrawn.

Applicant respectfully submits that for at least these reasons, Claims 1, 5-8, 15 and 16 are allowable over the prior art applied of record.

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The claims in this application have been revised to more particularly define applicants' unique construction in view of the prior art of record. Reconsideration of the claims in light of the amendments and for the foregoing reasons is respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,



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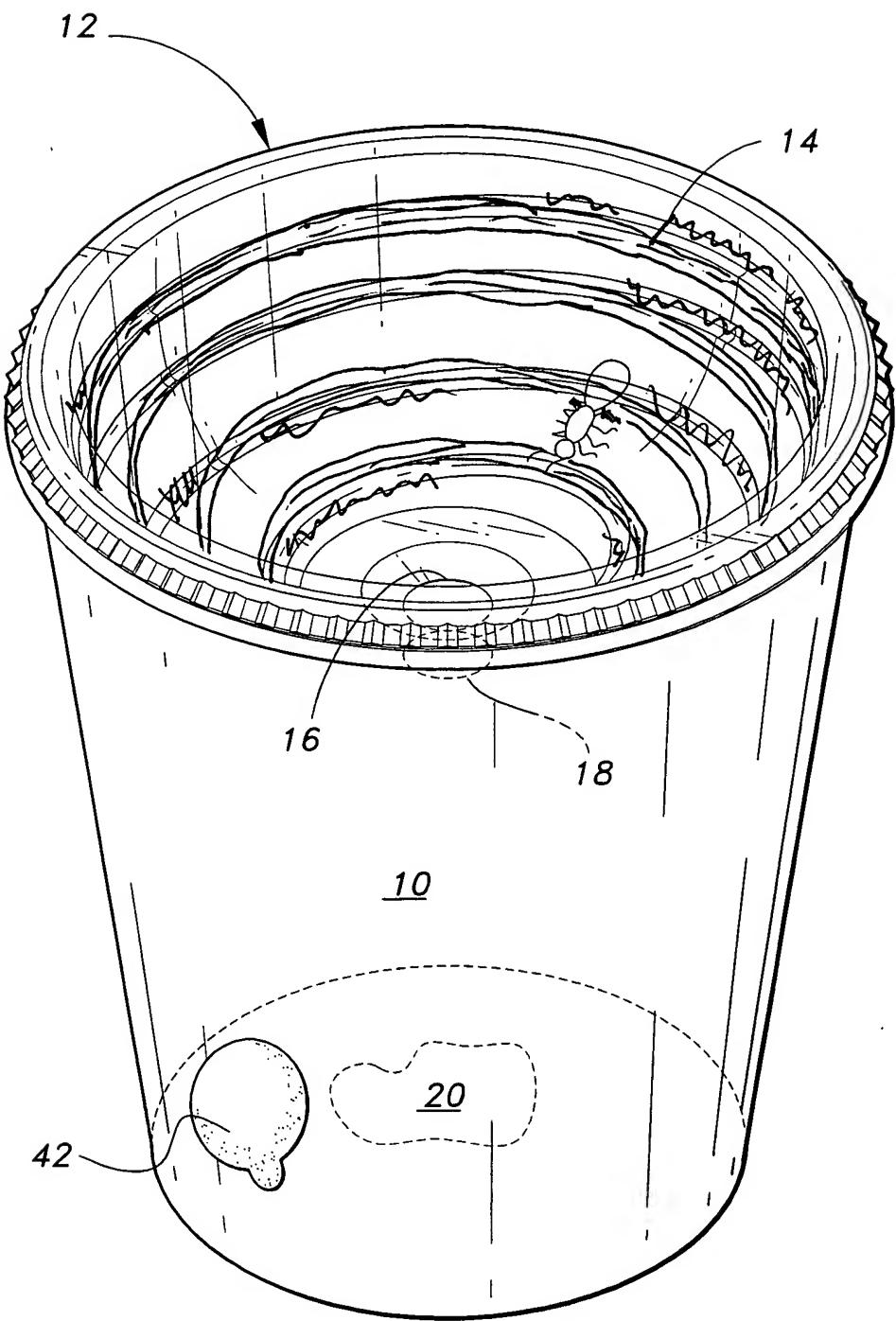


Fig. 1